

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- August 24, 1966

Appeal No. 8881 Stanton Garden Section 3, Inc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on August 31, 1966.

EFFECTIVE DATE OF ORDER -- Nov. 1, 1966

ORDERED:

That the appeal for permission to erect groups of garden type apartment buildings with division walls from the ground up or from the lowest floor up and deemed single buildings, and variance from the FAR, lot occupancy and side yard requirements of Para. 3307.1 and for location of off-street parking spaces anywhere upon the lot on which the main buildings are located at 2625-2653 Stanton Road, SE., lot 146, square 5871, be granted in part.

FINDINGS OF FACT:

(1) Appellant requested at the public hearing that the appeal be amended to delete that portion requesting a variance from the lot occupancy and side yard requirements of Para. 3307.1 and for location of off-street parking spaces anywhere on the lot on which the main buildings are located. The remainder of the appeal pertains only to a variance from the floor area ratio.

(2) The proposed project will be built to a 23 percent lot occupancy and will have two 20 foot side yards for each building.

(3) This appeal is a part of the same development considered by the Board in Appeals Nos. 8197-98 and 8405.

(4) Appellant avers that the instant appeal is subject to the same hardships involved in the other two appeals.

(5) The subject property has an irregular shape with topographic problems. At the northernmost corner of the property, the elevation is 86 feet and at the southernmost corner the grade is 140 feet and resulting in a differential in grade of approximately 54 feet. In the east-west direction there is a grade difference of approximately 30 feet, falling from east to west.

(6) Appellant proposes to erect two groups of garden-type apartment buildings with division walls from the ground up, and asks that the buildings be considered single buildings and for permission to construct the buildings with an floor area ratio of 0.9.

(7) No opposition to the appeal was registered at the public hearing.

OPINION:

The Board amends the appeal as filed and deletes the requested variances from the lot occupancy and side yard requirements and for the location of off-street parking spaces. The only variance considered by the Board in this appeal is a variance from the floor area ratio.

We are of the opinion that the irregular shape of the lot and the difficult topographic conditions existing on the site result in a hardship within the meaning of the variance statute.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Maps.